

1973 No. 2030

ANIMALS
DISEASES OF ANIMALS

The Tuberculosis (Amendment) Order 1973

Made 3rd December 1973
Laid before Parliament 11th December 1973
Coming into Operation 1st January 1974

The Minister of Agriculture, Fisheries and Food in exercise of the powers conferred on him by sections 1, 8(3), 20, 77(3) and 85(1) of the Diseases of Animals Act 1950(a) and of all his other enabling powers, hereby makes the following order:—

Citation and commencement

1. This order, which may be cited as the Tuberculosis (Amendment) Order 1973, shall come into operation on 1st January 1974.

Interpretation

2.—(1) This order shall be construed as one with the Tuberculosis Order 1964(b), hereinafter referred to as “the principal order”.

(2) The Interpretation Act 1889(c) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Amendments of principal order

3. There shall be inserted in Article 3(1) of the principal order (interpretation) the following definition:

“carcase” means the carcase of any bovine animal and includes any part of the carcase or any flesh, bone, hide, skin, hooves, offal or other part of a bovine animal, separately or otherwise or any part thereof.

4. The following Article shall be inserted in the principal order immediately following Article 5 thereof, namely:—

“Notice of disease in a carcase

5A. —(1) Every person having in his possession or under his charge on any premises any carcase which is affected with or is suspected of being affected with tuberculosis, and every veterinary surgeon or veterinary practitioner who in his private practice, and every person who in the course of his duties under the Meat Inspection Regulations 1963(d), or in the course of meat inspection carried out for the purposes of export certification of meat

(a) 1950 c. 36.
 (c) 1889 c. 63.

(b) S.I. 1964/1151 (1964 II, p. 2634).
 (d) S.I. 1963/1229 (1963 II, p. 2041).

examines any carcase, and is of opinion or suspects that such carcase is affected with tuberculosis, shall with all practicable speed give notice of the fact to a veterinary inspector.

(2) Any person having in his possession or under his charge a carcase which is affected with or suspected of being affected with tuberculosis shall detain it (or the part thereof affected with or suspected of being affected with tuberculosis) until it has been examined by a veterinary inspector."

5. Article 8 of the principal order (tuberculosis tests and vaccination) shall be amended by the addition after paragraph (3) thereof of the following paragraph:—

"(4) If any person fails to comply with any reasonable requirement of a veterinary inspector or other officer of the Ministry made in accordance with the provisions of paragraph (1) of this Article the Minister may, without prejudice to any proceedings for an offence arising out of such default, take or cause to be taken all such steps as may be necessary to facilitate the examination of such bovine animal, or the application thereto of any diagnostic test for tuberculosis, and the amount of any expenses reasonably incurred by the Minister for the purpose of making good the default shall be recoverable by him as a civil debt from the person in default."

6. There shall be inserted at the end of Article 11(1) of the principal order (precautions against the spread of infection) the words "and may, by such notice, require the isolation of any bovine animals specified in the notice in a specified part of the premises to which the notice relates."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd December 1973.

(L.S.)

Joseph Godber,

Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Tuberculosis Order 1964 so as to include provisions requiring notification in respect of the carcase of a bovine animal which is suspected of being affected with tuberculosis, and detention of the whole or part of such a carcase pending inspection by a veterinary inspector.

The Order also enables the Minister, where the owner or person in charge of a bovine animal fails to take steps to facilitate the examination of such an animal or the application thereto of any diagnostic test for tuberculosis, to recover from him the expenses reasonably incurred in making good the default as a civil debt.

Provision is also made for the isolation of bovine animals in a certain part of any premises if this appears necessary for the prevention of the spread of disease.

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